

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ABDELLAH BOUZZI, et al., on behalf
of themselves individually and on behalf
of all other similarly situated employees,

Plaintiffs,

- against -

F&J PINE RESTAURANT, et al.,

Defendants.

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ORDER

10 CV 457 (DLI)

On February 11, 2011, plaintiffs in the above-captioned action filed a motion to preliminarily certify an opt-in class pursuant to 29 U.S.C. § 216(b). At a conference on February 18, 2011, the Court consulted with the parties to set a schedule for the briefing and oral argument on plaintiff's motion. The parties agreed that defendants would respond to plaintiffs' motion by March 11, 2011, and plaintiffs would reply by March 18, 2011. The Court scheduled oral argument on the motion for April 7, 2011.

By letter dated March 9, 2011, "[D]efendants request an extension to 3/18/11 of the 3/9/11 [*sic*] deadline to file opposition papers to Plaintiffs' Notice of Motion for, *inter alia*, preliminary certification of a collective action." (Defs.' Let.¹ at 1). Defendants note that plaintiffs have not consented to this request.

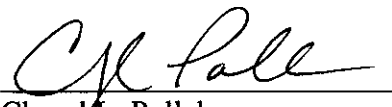
This is not the first extension sought by defendants in this case; they have previously sought numerous extensions of time from the Court in connection with discovery issues: for example, defendants filed requests for extensions on October 28, 2010; November 2, 2010;

¹Citations to "Defs.' Let." refers to defendant's letter filed on March 9, 2011.

January 3, 2011; January 6, 2011; and January 11, 2011. The progress of the case has slowed substantially, and the delays may implicate the statute of limitations. Accordingly, while the Court reluctantly grants defendants' request for an extension of time to respond to plaintiffs' motion to **March 15, 2011, no further extensions will be granted.** Plaintiffs must file their reply by March 22, 2011.

SO ORDERED.

Dated: Brooklyn, New York
March 10, 2011


Cheryl L. Pollak
United States Magistrate Judge